

## RESOLUTION NO. A-\_\_\_\_\_

1 WHEREAS, the University of Nebraska's Center for Great Plains Studies has  
2 submitted an application pursuant to Chapter 14.56 of the Lincoln Municipal Code to use  
3 a portion of the public right-of-way on the east side of their building at 12th and Q Streets  
4 for the placement of a work of art (sculpture); and

5 WHEREAS, said application has been reviewed by the Public Works  
6 Department and the Urban Design Committee which have recommended approval of said  
7 application.

8 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
9 Lincoln, Nebraska:

10 That the application of the University of Nebraska's Center for Great Plains  
11 Studies, hereinafter referred to as Permittee, for a permit to install a 7' piece of art  
12 (sculpture) upon a portion of the public right-of-way along 12th Street at Q Street is  
13 approved pursuant to Chapter 14.56 of the Lincoln Municipal Code subject to the following  
14 conditions:

15 a. That such space shall only be used for the work of art specified on the  
16 permit in accordance with the requirements of Chapter 14.56.

17 b. That such use is temporary and that the user requires no right, title,  
18 or interest in the space permitted to be used. In particular, this permit authorizes the  
19 sculptures to be in the public right-of-way from September 16 through November 30, 1996.

1           c.     That the space granted hereunder shall be vacated upon demand by  
2 the City Council and its use discontinued by the Permittee, with no recourse against the  
3 City for any loss or damage occasioned by any such requirement.

4           d.     That if any such space not be vacated and such use not be  
5 discontinued by the time specified, the City may remove from such space any work left  
6 thereon at the risk and expense of the Permittee.

7           e.     That the permit issued pursuant to this Section is a personal privilege  
8 and may not be transferred or alienated voluntarily or involuntarily.

9           f.     No advertising shall be permitted on any work of art except to identify  
10 the work, the name of the artist, and donor of the work of art, and shall in all respects  
11 comply with the provisions of Titles 22 and 27 of this Code regulating signage.

12          g.     The work of art shall be located only in the exact location described  
13 in the application.

14          h.     The Permittee shall be responsible for any damage or repairs to public  
15 property caused by the installation or removal of any work of art.

16          i.     All installations shall be under the supervision of the City Sidewalk  
17 Inspector and the City Sidewalk Inspector shall determine the method of placement of the  
18 work of art or any supporting, anchoring, or enclosing structure for the work of art requiring  
19 placement in the sidewalk or other right-of-way surface.

20          j.     The Urban Development Department shall monitor the condition of the  
21 work of art. The Permittee shall be responsible for properly maintaining the work of art so  
22 as to preserve its quality and value.

23          k.     The Permittee shall be responsible for any authorized removal or

1 pruning of trees or shrubs and such work shall only be done by a licensed and insured  
2 arborist.

3 The Permittee shall sign and return the City's letter of acceptance to the City  
4 Clerk prior to placement of the works of art in the public right-of-way.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2003:

\_\_\_\_\_  
Mayor